

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ANTOINE DESHAWN BARNES,  
Plaintiff,  
v.  
MARCIE BARNES, et al.,  
Defendants.

Case No. 1:21-cv-01603-NONE-EPG (PC)

ORDER TRANSFERRING CASE TO THE  
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff, who is proceeding *pro se*, has filed a civil rights action pursuant to 42 U.S.C. § 1983 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). (ECF No. 1).

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in: “(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1331(b).

1 In this case, the Defendants do not reside in this District. Plaintiff alleges that the  
2 violation of his rights occurred in Alameda County, which is in the Northern District of  
3 California. Therefore, Plaintiff's claims should have been filed in the United States District Court  
4 for the Northern District of California. In the interest of justice, a federal court may transfer a  
5 complaint filed in the wrong district to the correct district. 28 U.S.C. § 1406(a).

6           Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
7 States District Court for the Northern District of California.

IT IS SO ORDERED.

10 || Dated: **November 5, 2021**

/s/ *Eric P. Groj*  
UNITED STATES MAGISTRATE JUDGE